

Notice of Allowability

Application No.

10/517,234

Applicant(s)

GRUNER ET AL.

Examiner

Art Unit

TRI V. NGUYEN

1796

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/12/07.
2. ☒ The allowed claim(s) is/are 1 and 5-9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/Lorna M. Douyon/
Primary Examiner,
Art Unit 1796

EXAMINER'S AMENDMENT

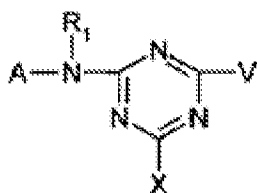
1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Holthus on 2/26/08.

2. The application has been amended as follows:

2.1 In claim 1, line 6, after "excluded" add the following:

--and wherein the at least one reactive dye is a reactive dye of formula



(1a)

wherein

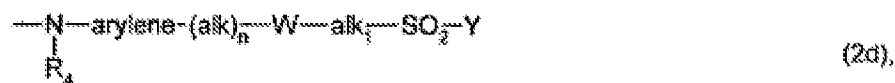
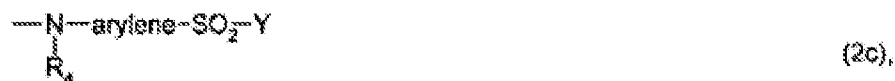
R₁ is hydrogen or unsubstituted or substituted C₁-C₄ alkyl,

X is halogen,

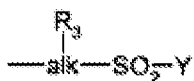
A is the radical of a monoazo, diazo, polyazo, metal complex azo, anthraquinone, phthalocyanine, formazan or dioxazine dye, and

V is a non-fibre-reactive substituent or is a fibre-reactive substituent of formula

Art Unit: 1796



wherein

R₂ is hydrogen or unsubstituted or substituted C₁-C₄ alkyl or a radicalwherein R₃ is as defined below,

R₃ is hydrogen, hydroxy, sulfo, sulfato, carboxy, cyano, halogen, C₁-C₄ alkoxy, carbonyl, C₁-C₄-alkanoyloxy, carbamoyl or a group -SO₂-Y,

R₄ is hydrogen or C₁-C₄ alkyl,alk and alk₁ are each independently of the other linear or branched C₁-C₆ alkylene,

arylene is a phenylene or naphthylene radical which is unsubstituted or substituted by sulfo, carboxy, hydroxy, C₁-C₄ alkyl, C₁-C₄ alkoxy or by halogen,

Art Unit: 1796

Y is vinyl or a radical $-\text{CH}_2-\text{CH}_2-\text{U}$ and U is a leaving group,

Y_1 is a group $-\text{CH}(\text{Hal})-\text{CH}_2(\text{Hal})$ or $-\text{C}(\text{Hal})=\text{CH}_2$ wherein Hal is chlorine or bromine,

W is a group $-\text{SO}_2-\text{NR}_4-$, $-\text{CONR}_4-$ or $-\text{NR}_4\text{CO}-$ wherein R_4 is as defined above,

Q is a radical $-\text{O}-$ or $-\text{NR}_4-$ wherein R_4 is as defined above, and

n is a number 0 or 1--

2.2 In claim 5, line 1, replace "4" with --1--.

2.3 In claim 6, line 1, replace "4" with --1--.

2.4 In claim 7, line 1, replace "4" with --1--.

2.5 Claims 2-4 have been cancelled.

STATEMENT OF REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

The most pertinent prior art known to the Examiner is listed on the attached forms PTO-892 and 1449. As shown by Benz et al., Lehman et al. and newly found prior arts Crotti and Hohmann et al., the close prior arts of record, the process of dyeing synthetic material with reactive dyes followed by an after-treatment are well-known. However, none of the prior art of record including Benz et al., Lehman et al., Crotti and Hohmann et al. provides sufficient suggestion or motivation to a dyeing process that includes (a) the specific synthetic polyamide fiber, (b) the specific reactive dye and (c) an after-treatment of a reducing agent and that excludes (d) a polycondensable and polymerisable fixing agent and (e) specific polyester and polyamide blend fibres as required in the present claims. Accordingly, the claimed invention, as a whole, would not have been obvious to one of ordinary skill in the fibre dyeing art. None of the prior art of record teaches, discloses or suggests a dyeing process that employs the specific dye

Art Unit: 1796

in the dyeing of a synthetic polyamide fibers followed by a reducing agent after-treatment step in the manner as those recited the present claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri V. Nguyen whose telephone number is (571) 272-6965. The examiner can normally be reached on M-F 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (571) 272-1119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. V. N./
3/7/2008

/Lorna M. Douyon/
Primary Examiner,
Art Unit 1796